IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.24763 of 2004

Between:

Nadimpalli Satyanarayana Raju, S/o. Late Veeraju,
East Godavari District.

..... PETITIONER

AND

1 The District Collector, Kakainada East Godavari District.
2 The Mandal Revenue Officer, Ravulapalem Mandal, E.G.District.
3 Nadimpalli Kadereswara Raju, S/o. Jogi Raju,
R/o. Marapalli Village & mandal, R.R.District
4 Nadimpalli Lakshmipathi Raju, S/o. Jogi Raju
R.R.District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to Issue a Writ, order or direction especially one in the nature of writ of mandamus declaring the action of the respondents 1 and 2 in trying to interfere with the possession of the property and trying to dispossess me from the property i.e., Ac.0-58 cents in S.No. 61/11, Ac.1.00 cents in S.No.61/16, Ac. 0-12 cents in S.No.91/3, Ac. 0-55 cents in S.No.91/5, Ac. 0-24 cents in S.No. 74/1, Ac.0-21 cents in S.No.74/2 and Ac.5-52 cents in S.No.74/3, totalling Ac.8-22 cents situated in Ubalanka village of Ravulapalem Mandal, East Godavari District without following due process of law, is arbitrary, violation of principles of natural justice and Art 300-A of Constitution of India.

Counsel for the Petitioner: MR.VL.N.G.KMURTHY

Counsel for the Respondent Nos.1 and 2: GP FOR REVENUE

Counsel for the Respondent Nos.3 and 4: ---

The Court, at the admission stage, made the following:

ORDER:

The petitioner claims to be owner and possessor of lands admeasuring Ac.0.58 cents in Survey No.61/11, Ac.1.00 cents in SurveyNo.61/16, Ac.0.12 cents in Survey No.91/3, Ac.0.55 cents in SurveyNo.91/5, Ac.0.24 cents in Survey No.74/1, Ac.0.21 cents in Survey No.74/2 and Ac.5.52 cents in SurveyNo.74/3 situated in Ubalanka village of Ravulapalem Mandal, East Godavari District. It is stated that respondents 3 and 4 with intend to grab the said lands of the petitioner filed civil suits against him and there are no any interim orders in the said suits against the petitioner. The grievance of the petitioner is that at the instigation of respondents 3 and 4, when the 2nd respondent-Mandal Revenue Officer without giving any notice and without following the due process of law, is trying to interfere with his possession and to dispossess him from the lands in question, he made a representation dated 01.11.2004 to the 1st respondent-District Collector, but, no action has been taken so far. Hence, he filed the present writ petition.

Heard the learned counsel for petitioner and learned Government Pleader for Revenue. Both counsel agreed to dispose of the writ petition at the admission stage.

Since the representation of the petitioner dated 01.11.2004 is said to be pending consideration before the 1st respondent-District Collector, without going into the merits of the matter, I deem it appropriate to dispose of the writ petition with a direction to the 1st respondent-District Collector to consider the same and pass appropriate orders thereon in accordance with law. Till then, status quo existing as on today shall be maintained.

With the above direction, the writ petition is disposed of at the admission stage. No costs.

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(N.V. RAMANA, J)

Date: 30.12.2004

Nsr/Tvk

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Collector, Kakainada East Godavari District.
2 The Mandal Revenue Officer, Ravulapalem Mandal, E.G.District.
3 Two CCs to GP for Revenue, High Court of AP, Hyderabad (OUT)

4 Two CD copies.